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1 **J. RUSSELL CUNNINGHAM, State Bar #130578**  
2 **ERIC R. GASSMAN, State Bar #260693**  
3 **DESMOND, NOLAN, LIVAICH & CUNNINGHAM**  
4 1830 15<sup>th</sup> Street  
5 Sacramento, California 95811  
6 Telephone: (916) 443-2051  
7 Facsimile: (916) 443-2651

8 Proposed Attorneys for Hank M. Spacone  
9 Chapter 7 Trustee

10 **UNITED STATES BANKRUPTCY COURT**  
11 **EASTERN DISTRICT OF CALIFORNIA**  
12 **SACRAMENTO DIVISION**

13 In re:

Case No. 09-27647-C-7  
Chapter 7

14 **VOLODYMYR DUBINSKY and**  
15 **SVETLANA DUBINSKY,**

DCN: DNL-1

16 Debtor.

17 **PROOF OF SERVICE**

18 I am employed in the City and County of Sacramento. My business address is 1830 15<sup>th</sup>  
19 Street, Sacramento, California 95811. I am over the age of 18 years and not a party to the above-  
20 entitled action.

21 I am familiar with Desmond, Nolan, Livaich & Cunningham's practice whereby the mail is  
22 sealed, given the appropriate postage and placed in a designated mail collection area. Each day's  
23 mail is collected and deposited in the U.S. mailbox after the close of each day's business.

24 On May 19, 2009, I served the following:

- 25 1. **APPLICATION TO EMPLOY DESMOND, NOLAN, LIVAICH &**  
26 **CUNNINGHAM PURSUANT TO A HYBRID FEE AGREEMENT;**
- 27 2. **[PROPOSED] ORDER GRANTING APPLICATION TO EMPLOY DESMOND,**  
28 **NOLAN, LIVAICH & CUNNINGHAM PURSUANT TO A HYBRID FEE**  
**AGREEMENT;**
3. **DECLARATION OF J. RUSSELL CUNNINGHAM IN SUPPORT OF**  
**APPLICATION TO EMPLOY DESMOND, NOLAN, LIVAICH &**  
**CUNNINGHAM PURSUANT TO A HYBRID FEE AGREEMENT;**

Desmond,  
Nolan, Livaich &  
Cunningham  
1830 15<sup>th</sup> Street  
Sacramento, CA  
95811  
(916) 443-2051

4. **EXHIBITS IN SUPPORT OF APPLICATION TO EMPLOY DESMOND, NOLAN, LIVAICH & CUNNINGHAM PURSUANT TO A HYBRID FEE AGREEMENT;**

☒ **(BY ELECTRONIC MAIL)** on the *Office of the United States Trustee* addressed as follows:

- [ustpRegion17.sc.ecf@usdoj.gov](mailto:ustpRegion17.sc.ecf@usdoj.gov)
- [judy.c.hotze@usdoj.gov](mailto:judy.c.hotze@usdoj.gov)

☒ **(BY MAIL)** on the parties in this action by causing a true copy thereof to be placed in a sealed envelope with postage thereon fully prepaid in the designated area for outgoing mail, addressed as follows:

Hank Spacone  
P.O. Box 255808  
Sacramento, CA 95865-5808

Volodymyr & Svetlana Dubinsky  
144 Kettle Rock Court  
Folsom, CA 95630

Nancy Hotchkiss  
980 Fulton Avenue  
Sacramento, CA 95825-4558

Walter R. Dahl  
2304 N Street  
Sacramento, CA 95816-5716

Becket And Lee  
P.O. Box 3001  
Malvern, PA 19355-0701

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on May 19, 2009, at Sacramento, California.

  
TRISHA SETZER